

Francis rightly noted that his father exemplified an ideal, which he dubbed being a "man for others."

Barry would have been embarrassed and surprised by all the richly-deserved accolades. He was truly a self-effacing man, not the most common trait on Capitol Hill. Last week's ceremony conveyed a true sense of Barry in all of his idiosyncratic uniqueness.

But there was one way in which Barry was not unique. Tragically, horribly, many share his fate every year as victims of pancreatic cancer. This is a cancer that almost always kills. We understand little about its cause, its course or its cure. We must spare no effort or expense in trying to change that, and making more Americans aware of the disease is a step toward accomplishing our goal.

In every congressional district, in every community there are too many people who have had to experience the kind of loss that we on the Committee on Science and this institution suffered last week.

Barry would not want to be remembered as a cancer victim. Indeed, he fought his disease nobly and bravely until his last days, and we will remember him always the wonderful individual he was during a special order on the floor next week. But it does no disservice to Barry to note that one of his many legacies will be that all of us will have a better understanding of the tragic consequences of pancreatic cancer. So I am pleased to see this House taking note of this horrible disease and committing itself to working to save others from what Barry suffered from and from the loss that his family, his friends and colleagues feel today.

Mr. PLATTS. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Pennsylvania (Mr. PLATTS) that the House suspend the rules and agree to the resolution, H. Res. 262.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### GOVERNMENT NETWORK SECURITY ACT OF 2003

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3159) to require Federal agencies to develop and implement plans to protect the security and privacy of government computer systems from the risks posed by peer-to-peer file sharing, as amended.

The Clerk read as follows:

H.R. 3159

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Network Security Act of 2003".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) Peer-to-peer file sharing can pose security and privacy threats to computers and networks by—

(A) exposing classified and sensitive information that are stored on computers or networks;

(B) acting as a point of entry for viruses and other malicious programs;

(C) consuming network resources, which may result in a degradation of network performance; and

(D) exposing identifying information about host computers that can be used by hackers to select potential targets.

(2) The computers and networks of the Federal Government use and store a wide variety of classified and sensitive information, including—

(A) information vital to national security, defense, law enforcement, economic markets, public health, and the environment; and

(B) personal and financial information of citizens and businesses that has been entrusted to the Federal Government.

(3) Use of peer-to-peer file sharing on government computers and networks can threaten the security and privacy of the information on those computers and networks by exposing the information to others using peer-to-peer file sharing.

(4) The House of Representatives and the Senate are using methods to protect the security and privacy of congressional computers and networks from the risks posed by peer-to-peer file sharing.

(5) Innovations in peer-to-peer technology for government applications can be pursued on intragovernmental networks that do not pose risks to network security.

(6) In light of these considerations, Federal agencies need to take prompt action to address the security and privacy risks posed by peer-to-peer file sharing.

#### SEC. 3. PROTECTION OF GOVERNMENT COMPUTERS FROM RISKS OF PEER-TO-PEER FILE SHARING.

(a) PLANS REQUIRED.—As part of the Federal agency responsibilities set forth in sections 3544 and 3545 of title 44, United States Code, the head of each agency shall develop and implement a plan to protect the security and privacy of computers and networks of the Federal Government from the risks posed by peer-to-peer file sharing.

(b) CONTENTS OF PLANS.—Such plans shall set forth appropriate methods, including both technological (such as the use of software and hardware) and nontechnological methods (such as employee policies and user training), to achieve the goal of protecting the security and privacy of computers and networks of the Federal Government from the risks posed by peer-to-peer file sharing.

(c) IMPLEMENTATION OF PLANS.—The head of each agency shall—

(1) develop and implement the plan required under this section as expeditiously as possible, but in no event later than six months after the date of the enactment of this Act; and

(2) review and revise the plan periodically as necessary.

(d) REVIEW OF PLANS.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall—

(1) review the adequacy of the agency plans required by this section; and

(2) submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate a report on the results of the review, together with any recommendations the Comptroller General considers appropriate.

#### SEC. 4. DEFINITIONS.

In this Act:

(1) PEER-TO-PEER FILE SHARING.—The term "peer-to-peer file sharing" means the use of computer software, other than computer and network operating systems, that has as its primary function the capability to allow the computer on which such software is used to designate files available for transmission to another computer using such software, to transmit files directly to another such computer, and to request the transmission of files from another such computer. The term does not include the use of such software for file sharing between, among, or within Federal, State, or local government agencies.

(2) AGENCY.—The term "agency" has the meaning provided by section 3502 of title 44, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

#### GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3159.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3159, the Government Network Security Act of 2003 closes a loophole in the Federal Government's efforts to protect the security and privacy of its computers. It requires executive branch departments and agencies to take steps to protect government computers and information from the risks that are posed by the use of peer-to-peer file sharing programs. Peer-to-peer file sharing programs are Internet applications that allow users to download and directly share electronic files from users on the same network. These programs are surging in popularity with millions of people trading music, images and documents over these networks at any given time.

While most of the news coverage on file sharing focuses on the abilities of users to illegally trade copyrighted music, movies and videos, another less-publicized dark side to this technology is the risk it poses to the security of computers and the privacy of electronic information. Few people recognize these risks.

At a hearing held by the Committee on Government Reform in May, members heard from computer security experts who discussed the privacy and security risks created by these programs. And through a couple of simple searches on one file-sharing program, committee staff easily obtained completed tax returns, medical records, confidential legal documents and business files. We learned that using these programs can be similar to giving a complete stranger access to your personal file cabinet.

Consequently, file sharing programs can create a number of risks for Federal departments at agencies if they are installed on government computers. The Federal Government uses and stores a wide variety of classified and sensitive information, including information vital to national security, vital to public health and the personal and financial records of U.S. citizens and businesses. Installing these programs on government computers can cause this sensitive information to be exposed to the public. Because files are shared anonymously on peer-to-peer networks, there is also the risk of the spread of viruses worms and other malicious computer files.

Mr. Speaker, both the House and the Senate have successfully taken steps to protect congressional computers through both technical and nontechnical means including firewalls and employee training. Unlike Congress, however, executive branch departments and agencies do not have similar policies. This legislation requires agencies to develop and implement such policies to protect government information and computers. File-sharing technology is not inherently bad and it may turn out to have a variety of beneficial implications. H.R. 3159 recognizes this by protecting the ability of Federal agencies to pursue innovations of peer-to-peer technology on government networks, as long as they do not put government information or computers at risk.

This bill takes a common sense approach to protect the computers and networks of the Federal Government and the valuable information they contain. I want to commend the gentleman from California (Mr. WAXMAN), the distinguished ranking member on the Committee on Government Reform, and his staff for their work on this bill, setting up the hearing, and really calling this to our attention. I also want to recognize all the 28 members of the Committee on Government Reform who have cosponsored this legislation. This bill is an excellent follow-up to the committee's bipartisan investigations into the risk of using file sharing programs.

Mr. Speaker, I urge all Members to support H.R. 3159.

Mr. Speaker, I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to ask my colleagues to support the Government Network Security Act of 2003, legislation that would protect the security of Federal Government computers from the risks posed by peer to peer sharing.

I introduced this legislation with my colleague on the Committee on Government Reform, the gentleman from Virginia (Mr. TOM DAVIS), and I want to thank him for his interest on this issue and he and his staff for all the work they have done to address the risk of peer-to-peer file sharing. This is legislation that both of us have worked closely together to develop.

In recent years, peer-to-peer file sharing programs have gone from little known to an incredibly popular Internet application. In fact, the most popular of these file-sharing programs, Kazaa, has been downloaded more than 280 million times, making it the most downloaded software program ever.

In a series of hearings earlier this year, our committee looked into these peer-to-peer file-sharing programs and the issues they raised. What we found out is that the risks they posed, particularly to our personal privacy and security, can be significant. At a Committee on Government Reform hearing in May, we heard from leading network security experts from universities and the private sector talk about how peer-to-peer file sharing can put computers at risk for viruses, worms and other damaging computer files. And the committee investigation found that without even knowing it, people are sharing incredibly personal information through these programs. Our staff investigators found completed tax returns, medical files, and even entire E-mail in boxes being shared on these networks. Government computers are not immune from these risks.

A GAO investigation, which is still underway, has found that even at Los Alamos National Laboratory, where top secret research is often conducted, file-sharing programs have been found on government computers. Protecting government computers from these security risks is essential. The Federal Government has computer records with incredibly sensitive personal information about citizens, including tax returns, military records and medical and psychiatric records. It also, obviously, has many files with important national security information.

It is important to protect government computers from computer viruses. In the last several weeks, we have seen how the spread of just two or three malicious viruses can slow the functioning of government. We need to make sure Federal Government computers and networks stay protected from these threats.

It is not difficult to safeguard Federal computers from these risks. The House of Representatives recognized the privacy and security threats posed by peer-to-peer programs nearly 2 years ago and took steps to protect against them. The Senate did the same shortly thereafter, but many of our Federal agencies have yet to follow suit. The Government Network Security Act of 2003 is simple legislation. It requires that when developing their network security policy and procedures, Federal agencies address the risks posed by peer-to-peer file-sharing programs. Plans to address these risks may include technological means, such as firewalls, and nontechnological means, such as employee training.

Technical innovation is tremendously important, including potential innovation involving peer-to-peer file-sharing technologies. This act recog-

nizes this, and it protects the ability of Federal agencies to pursue new technologies, including peer-to-peer technology. The only limitation it imposes is a requirement that agencies not jeopardize the security of sensitive government records.

When popularly available, peer-to-peer file-sharing programs can threaten us with viruses and worms and put in risk the privacy of sensitive information. I think we can all agree that they have no place on government computers and networks. That is why, Mr. Speaker, I urge my colleagues to support this legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 3159, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### DISTRICT OF COLUMBIA MILITARY RETIREMENT EQUITY ACT OF 2003

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3054) to amend the Policemen and Firemen's Retirement and Disability Act to permit military service previously performed by members and former members of the Metropolitan Police Department of the District of Columbia, the Fire Department of the District of Columbia, the United States Park Police, and the United States Secret Service Uniformed Division to count as creditable service for purposes of calculating retirement annuities payable to such members upon payment of a contribution by such members, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3054

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Military Retirement Equity Act of 2003".

#### SEC. 2. PERMITTING INCLUSION OF PREVIOUS MILITARY SERVICE AS CREDITABLE SERVICE FOR CERTAIN DISTRICT OF COLUMBIA RETIREES.

Subsection (c)(8) of the Policemen and Firemen's Retirement and Disability Act (sec. 5-704(h), D.C. Official Code) is amended—

(1) by striking "(8) Notwithstanding" and inserting "(8)(A) Except as provided in subparagraph (B), notwithstanding"; and

(2) by adding at the end the following new subparagraph:

"(B)(i)(I) Except as provided in subclause (II), and subject to clause (iv), each member